

## PROGRAM DESCRIPTION

### STRENGTHENING OF TRANSPARENCY AND RULE OF LAW SYSTEMS IN THE DOMINICAN REPUBLIC

#### BACKGROUND

La Fundación Institucionalidad y Justicia (FINJUS) since its inception has been committed to the strengthening of the Rule of law and democratic institutions in the Dominican Republic. It has prioritized, as working guidelines, the reform of the State in the its ideological, cultural, and standardizing aspects, especially emphasizing the modernization of the justice system, in consonance with civic demands, looked at together.

Within that context, FINJUS has committed itself to the execution of programs for legal reform, civic education, works to influence public power is, and brought in publication towards society, of the aspects prioritized, in order to establish the dialogues necessary and the consensus required among all the sectors in order to increase governance and the Rule of Law.

In that regard, FINJUS has encouraged the creation of civic coalitions and networks committed to the independence of the participants in the justice system, efficiency of its institutions and operators, transparency in the exercise of their functions, and full access by citizens to its services.

In October of 2004 FINJUS synthesized the evaluation of the processes of reform of the justice system, which had been promoted since 1997, and proposed the relaunching of the reform, giving special encouragement to the demands for participation by community organizations in these processes, the establishing of mechanisms to make constitutional guarantees and rights effective, access to justice services, and the strengthening of structures and policies of the institutions of the justice system.

In that direction, FINJUS has determined that its strategic objectives coincide fully with the purposes that the United States Agency for International Developments (USAID) proposes in order to Achieve a More Participative, Representative, and Effective Democracy, and specifically to achieve a more effective and equitable justice system, as well as increasing transparency in the public powers.

The present proposal contains a list of the activities and projects that will be necessary in order to achieve the objectives proposed, in the understanding that FINJUS will send to USAID details of work plan by May 31, 2005 with an adjusted estimated budget for the period between **06-01-05 to 09-30-2005, and a summary general estimated budget for the whole Period of implementation of this project (May 16, 2005 to September 30, 2007)**. The detailed workplan and estimated budget have to be submitted every three months to the technical office for revision and approval. **The action plan and the budget for each 3 month period will be reviewed by FINJUS and USAID upon the conclusion of each one of the indicated periods.** This review will determine the pertinence of the activities program for the next period, and will contemplate the adjustments necessary to the programming of activities for purposes of ensuring the efficient fulfillment of the objectives proposed in the USAID strategy.

#### IR 9.3.2 Greater Transparency of Key Justice Institutions

#### RESULTS

**R1: Strengthening of mechanisms for civic denunciation of corruption in the Justice sector and which are implemented in pilot offices/districts**

#### FRAMEWORK OF WORK:

As a result of the creation of networks of social and community organizations in the localities selected, whose consciousness is raised about the importance of transparency in institutions of the justice system, training in the application of the laws on the career in those institutions, and with access to working tools for their monitoring, the civil society will perform actions to denounce acts of corruption in the judicial institutions, with the support of FINJUS. Priority will be given to the support of organizations which have decided to perform acts of denunciation and pressure for transparency in the justice system, and the results of these denunciations will be channeled to the authorities of the institutions of the System.

#### **INDICATORS:**

- Number of cases of participants in the justice sector , who are denounced by OSC who have been investigated (REPORTED BY USAID)
- Number of denunciations generated by the "alert and action system" on cases of corruption in the justice system.
- Networks of at least five civil society groups from the localities selected, which are articulated around reflection and denunciation of corruption in justice

#### **ACTIONS PROPOSED:**

FINJUS will concentrate on several fundamental tasks:

- Carrying out a process of survey of denunciations through the "Alert and action system" established in the provinces identified (The Alert and Action System is described en el IR 9.3.5 R1).
- Creating and putting into function a technical team for the performing of systematization and presentation of denunciations in the judicial Departments selected, based on predefined criteria and based on a methodology of proper presentation. These presentations will subsequently be channeled to the institutions of the justice system, through an appropriate methodology, to be determined.
- Forums in the localities selected on the internal control mechanisms in the institutions of the justice sector (for example, the Department of Judicial Inspection), their limitations, and suggestions for overcoming the problems detected.
- Holding a national seminar with civil society organizations in order to determine the best practices in matters of monitoring the functioning of the control and the sanction mechanisms inside the institutions of the justice system.
- Design of a training program for leaders and technicians of social and community organizations on the systematization of experiences of the civic control of transparency in organizations of the justice system.

**R2: More information available to the public on decisions by the participants in the justice sector to facilitate monitoring and promoting transparency.**

#### **FRAMEWORK OF WORK**

In order to improve access to the justice system, it is necessary to have better and practical legal frameworks for access by the social organizations and the citizenry to information on the institutions of the justice system, which is a result of both its work or functioning, and the internal control processes. FINJUS proposes to insert the Dominican Republic into the discussions developed in other judicial systems of Latin America in order to be able to influence the generation of proposals

for improvement of access to judicial information in all its aspects, and in the formulation of public policies which are necessary in this area.

**INDICATOR:**

**Milestone scale:**

There is a diagnosis on access to judicial information.

Proposals are generated to improve the availability of information.

Public policies are generated which increased access to information in institutions of the justice sector.

**ACTIONS PROPOSED:**

We propose to perform the following:

- A diagnostic study on access to information of the justice system, which will provide data on the institutional mechanisms, advantages, and barriers or obstacles that citizens confront in order to access this information. It will start with the design prepared by the *Centro de Estudios Judicial de las Américas* (Center for Judicial Studies of the Americas) and which was implemented in Argentina, Peru, and Chile. This study will cover the following areas: Quality of service in the Justice Sector, Institutional capacity, people's knowledge of legal rights and perception of corruption in the Justice System.
- Create a space for discussion and exchange by the civic organizations of experiences in the implementation of the public policies formulated by the institutions in the justice system, which will provide a greater access to the information that they produce.
- Accompanying the process of definition of the institutional policies in matters of access to information in the organizations of the justice system (Office of Public Defender, Public Ministry, and Judicial Power), which includes:
  - Technical assistance to the team formed by the institutions, especially concerning the consulting and validation of the proposed policies in the civil society.
  - Support for the preparation of plans, manuals, and other materials , which require consultation with social groups.
- Production of support material on policies and practices in matters of access to information in the justice system for follow-up by civil society organizations.

**IR 9.3.3 BETTER ACCESS TO JUSTICE.**

Knowledge of citizens of their rights and guarantees (INDICATOR TO BE REPORTED BY USAID).

**RESULTS**

**R1: The communities selected are better informed about how to access justice services (including mediation/conciliation) and about the rights and guarantees contained in the Constitution and the Criminal Procedures Code.**

**INDICATORS:**

"50" number of persons are capable of promoting actions in justice on the subjects selected.

"10" number of emblematic cases on the key axes selected are in process in the courts and receive legal assistance.

#### **FRAMEWORK OF WORK:**

The point of departure for the work to be done is the overcoming of the deficits of the justice system in order to facilitate full access for all of the populace to the services which the Constitution provides for. There exists an unsatisfied demand for services, and the institutions of the justice system do not demonstrate the willingness or desire to overcome these failings in the short term. In some cases there is a scarcity of resources, but in the majority of the situations detected, the problems are not solved because the social and community organizations, and the population in general, do not demand the services to which they have a right. FINJUS seeks to support the initiatives for action by groups and community institutions, which, as a result of previous efforts, are willing to demand the services from the State.

#### **INDICATORS**

At last some 70% of the people trained are capable of promoting actions in justice on the subjects selected.

At least ten actions on the key axes selected have been brought by the groups trained and receive legal assistance.

#### **ACTIONS PROPOSED:**

##### **FINJUS proposes:**

- To perform a diagnosis of access to justice in the Dominican Republic, which takes into consideration the main problems detected in the previous studies and allows the formulation of proposals on the policies and programs necessary to overcome the deficiencies detected. This study will contemplate both the perspective of the institutions of the system, as well as the point of view of the demand existing in the communities.

The results of this study will be made available to the institutions of the justice system for their study and the joint preparation of specific programs

- Design and implementation of training packages for leaders of community organizations and technicians in their service (lawyers, socio-cultural leaders, and similar) in the Judicial Departments selected, on the following subjects:

- 1. Defense of scattered and collective interests**
- 2. Constitutional and/or administrative justice**
- 3. Alternative methods of conflict solution**
- 4. Rights of the victim in the new criminal procedure**

- Offering technical accompaniment to the social and community groups trained and selected for actions that will promote the interest of the communities in the subjects indicated previously. This support contemplates the creation of a team of lawyers for the technical assistance, which will include accompaniment to perform unassisted experiences in order to initiate lawsuits in the courts and to achieve some level of social impact.

These activities will be done in coordination with USAID funded project "Justicia y Gobernabilidad".

#### **R2: More indigent Dominicans have available free legal defense services**

#### **FRAMEWORK OF WORK:**

After the approval of Law No. 277-04 which creates the National System of Public Defense, the greatest challenge is to encourage the full application of this system, by means of the creation of the conditions so that the social and community institutions channel towards this new institution the criminal cases of persons with fewer resources. At the same time it will encourage the incorporation into the tasks of free legal defense by lawyers who provide services in universities and nongovernmental organizations of assistance.

#### **INDICATORS:**

The ONDP has coordination and assistance from at least four free legal defense NGOs.

Methodology of teaching the subject of judicial practice designed and adopted in at least three law schools

Model of functioning of the people's legal office proposed to at least three universities.

#### **PROPOSED ACTIONS:**

- Provide follow-up to the coordination of the NGOs with the National Office of Public Defense, in order to achieve tangible results in the areas of concentration and joint action defined.
- Support the professionalization of the judicial practice of the universities selected, and adjusted to the requirements of the National Office of Public Defense
- Design and implement planning workshops for the coordination of the National Office of Public Defense with the entities providing defense service.
- Provide accompaniment for the coordination of the integration of the Lawyers Attached (*abogados adscritos*) to the Service of Public Defense, by supporting the creation of the technical systems that will be necessary to ensure their productivity.

### **R3: Development and pilot test of a national model of alternative dispute resolution.**

#### **FRAMEWORK OF WORK:**

The putting into effect of the new criminal procedure has implied the opening of processes of conciliation for certain types of crimes and misdemeanors. The civil society organizations must provide support, so that the conflict resolution model, which is chosen by the State as a framework for conciliation be known by the community organizations that provide public defense service or assistance to victims, encouraging the solution of criminal conflicts to be performed in an atmosphere of guarantees and respect for dignity, as well as efficiency of the participants in the system.

FINJUS proposes to support the processes of definition of this model, and once the centers dedicated to this work are installed, it proposes to train the members of the social and community organizations, in order to increase the demand and to serve as bridges in the communities with the authorities of the justice system.

#### **INDICATORS**

30 people are trained in alternative resolution of criminal conflicts and are at the service of civil society organizations, and formal institutions.

3,000 persons are aware of the alternate mechanisms to trial in the new criminal procedure code.

#### **PROPOSED ACTIONS:**

- To offer accompaniment to the technical processes of definition of a model of mediation and conciliation – conducted by the USAID contractor – through the performing of the following tasks:
  - Identification of the localities, two in total, based on technical and social criteria, as levels of social conflicts; the existence of networks of community organizations; working experiences in popular education and organization, in order to create relationships , and social fabric appropriate for these experiences.
  - The survey of needs in this category.
  - Adjustment of the model to the communities chosen
  - Validation with the organizations
- Decide and implement a training system in the appropriate model of criminal conflict resolution chosen, which will permit the technicians or leaders of the organizations selected to play a role of facilitator and channel the demand in this aspect.

#### **R4: Creation of public information centers and pilot offices/district courts, prosecutors' offices, and offices of public defense.**

#### **PROPOSED ACTIONS:**

Given the fact that the USAID contractor covers this aspect, FINJUS will be able to coordinate with it to provide assistance in the area of accompaniment and the creation of the social links in the definition and implementation of the experience.

#### **R5: Development of a model of constitutional justice that will offer protection to constitutional rights, and consciousness-raising and awareness by the communities and availability of legal representation for citizens in demands by the citizenry in cases of violation of constitutional rights.**

#### **FRAMEWORK OF WORK:**

The creation of a sustained demand for access to constitutional justice supposes the broad knowledge by social and community organizations of the proper procedures in this area, as well as having teams of lawyers who will correctly channel the necessary resources regarding the affairs of their interest. It also implies the preparation of support materials for the work of consciousness raising of the communities for the conducting of actions for respect of their constitutional rights, in the framework of initiatives of dialogue and discussion with the corresponding state authorities.

#### **INDICATORS**

Increase in the knowledge of the target communities of their constitutional rights and the mechanisms to access them.

Number of cases in defense of fundamental rights which have been submitted by civil society organizations and which are being accompanied by lawyers contracted by FINJUS.

#### **PROPOSED ACTIONS:**

FINJUS proposes to perform the following actions in order to achieve this result:

- The creation of a team of lawyers , which will progressively assume an identity as a network of specialized legal service (young lawyers willing to create commitments and ties of solidarity with the communities, and who receive modest honorariums), in order to

support, from a human rights perspective, the communities in conflict with the State in the conquest of their rights.

- Training by FINJUS of this team of specialized lawyers
- Training of the NGO's Public Defense lawyers interested in also accompanying their communities in the performing of constitutional actions. The determination of agreements of work and operational feedback.
- Workshops to raise the consciousness in the service organizations of the prioritized communities as well as the development of materials for civic education and consciousness-raising.
- Gathering of information which will allow the measurement of the level of knowledge of constitutional rights before the campaign and after the campaign, by persons organized in active community groups.
- Supporting the process so that the USAID Contractor develop an experience of sub-grants to NGO's in order to offer legal representation in cases of constitutional rights.

#### **IR 9.3.4 Better legal capacity/capability environment.**

#### **RESULTS**

#### **R1: Implementation of the Criminal Procedure Code and monitoring of related reforms by CONAEJ and the civil society**

#### **FRAMEWORK OF WORK:**

FINJUS proposes to provide continuity to its work in the frame work of the National Commission for Execution of Procedural Reform, which has borne important fruit, as the party responsible for conducting processes of the civil society in this area , and being the interlocutors with the institutions of the criminal justice system.

We will seek to do the monitoring, which will allow us to detect the weaknesses of the application of the new Code, and which demands the willingness of the state to perform an in-depth reform, in a framework of guarantees and efficiency which will resolve the acute crisis of the criminal justice system that has been dragging along for many years.

#### **INDICATORS:**

Qualitative and quantitative information is generated about the implementation of the Criminal Procedure Code, and it is made available to the citizenry.

New organizations and sectors are leads to the work of dissemination or publication of the Criminal Procedure Code.

#### **PROPOSED ACTIONS:**

FINJUS proposes to perform the following:

- Actions of technical assistance to produce the statistics about the implementation of the Criminal Procedure Code, in coordination with the USAID Contractor.
- Support the performing of communications actions by the civil society organizations demanding permanent and systematic information about the implementation of the Criminal Procedure Code (establishment of public policies of dissemination of the results of the process and the action of institutions in this sector).

- Supporting the gathering of qualitative information about the criminal process, by means of samples, through the Bar Associations of the selected provinces, which will include in the practices of the operators of the system. A tool for discussion will be designed and the conclusions will be presented in a national workshop.
- Process of discussion of the plans of criminal policy to be developed in the public instances.
- Encouraging the gathering of samples of sentences and rulings by the Criminal Courts in the selected judicial departments, in the period of September 2004 to September 2005 and 2006, for their systematization, analysis, and publication.
- Encouraging the Process of Adjustment of Teaching of Criminal Law, and Criminal Procedural Law in the Dominican Republic, which includes the following:
  - Empirical investigation or research in the teaching of law in the Dominican Republic
    - Presentation of a proposal for reform of the teaching of Criminal and Criminal Procedural law and the generation of consensus with the regulatory authorities and universities.
    - Workshop with professors to present the results of the Investigation/research and state the main problems
- The Project "Social Promoters for the Criminal Procedural Reform" which links citizens to the process of reform, by means of publication and training. This team of promoters will be at the service of the rest of the actions for the tasks of coordination in the provinces.

## **R2: Drafting of the Criminal Code and the Law on Criminal Execution and their approval by Congress.**

### **FRAMEWORK OF WORK:**

FINJUS will seek to encourage the incorporation of new social and community institutions in the demand for a more effective criminal reform, for the integral implementation of the Code, and approved complementary laws, as well as the creation of social and technical consensus, which will facilitate approval of the missing standards in order to provide greater fluidity and effectiveness to the reform of the system .

### **INDICATORS:**

The laws that make up the pending reforms advance and the progress index of the legislative agenda (USAID) and at least one of the laws proposed by FINJUS is approved by the National Congress. (INDICATOR REPORTED BY USAID).

### **PROPOSED ACTIONS:**

- Generation of a strategic alliance with the INECIP and the ICED, as technical support to the process of drafting of both bills of law.
- Creation of a local technical team and support team.



- Activities for the generation of consensus among the different interest groups.
- Promoting an alliance with the institutions of the Executive Power concerning the regulation for legislation of the execution of the criminal law and provisional measures.
- Accompaniment of the process and validation by the justice table of FORO CIUDADANO in four discussion forums.
- Submission to the National Congress by CONAEJ

**R3: Drafting of laws on Constitutional Justice, building of consensus among the judicial participants and civil society, and their approval by Congress.**

**PROPOSED ACTIONS:**

- Generation of a public debate about the different models proposed (Seminar "For a Constitutional Procedure Law")
- Documents of dissemination about the need for regulation of constitutional procedure.
- FINJUS will draft a bill of Law on Constitutional Procedure in coordination with the *Justicia y Gobernabilidad* (Justice and Governance) Project and the Commissioner for Support of the Reform and Modernization of Justice

**IR 9.3.5 Sustained advocacy for justice reform: Increase in public awareness and social demand for judicial reform.**

**INDICATORS:**

Number of actions taken by the civil society organizations in order to promote justice reform (INDICATOR REPORTED BY USAID)

Progressive increase in the number of actions undertaken by the social organizations in the particular localities in order to improve the systems for a career in the institutions of the justice sector.

The Justice Table in Foro Ciudadano is strengthened and is identified as a platform for the articulation and projection of the demand for judicial reform.

The network of teachers for Justice and Equity is installed in the Educational District 15-02 and exported to at least one other Educational District.

**RESULTS:**

**R1: Identify and strengthen pilot mechanisms of civic vigilance of the justice system.**

**FRAME OF WORK:**

The actions have as their main objective the empowerment of social and community organizations in the exercise of their rights and the sustained increase in the demand for a efficient and effective criminal justice. This process implies full knowledge of the legal and organizational tools and

instruments necessary to fulfill their rights and their demands in a framework of legality and democratic exercise of participation.

For this reason the creation of new spaces for the coordination of the institutions in the places chosen, and the reinforcing of the existing spaces, serves as a scenario for the strengthening of the community demand for a more efficient justice.

Reinforcing implies substantially that leaders and technicians of the community organizations in the places chosen will develop the tools and capacities necessary to have an influence in this field.

FINJUS's work will be concentrated as well on contributing to the creation of the capacities and tools necessary for the networks of civil society organizations to be familiar with the set of standards for careers in the institutions of the justice system (Judicial Power, Public Ministry, and Office of Public Defender) and to perform the follow-up of their implementation. Support will be provided to the performing of specific actions by these organizations in demanding transparency in the application of career laws and rules, creating a platform for monitoring, denouncing, and influencing judicial institutions, public opinion, and the civil society. FINJUS has the conviction that the proposals will generate positive reactions within the institutions. Four judicial departments (National District, La Vega, La Romana, and Bani) will be prioritized for the performing of the activities proposed.

#### **ACTIONS TO BE DEVELOPED:**

- Creation of a network of institutions and individuals from the civil society in the communities selected, and committed to in the exercise of their rights and the sustained increase in the demand for justice with efficiency and equity.
- Preparation of a program for dissemination of the Career Laws and regulations among social and community organizations in the Judicial Departments selected, whose materials will be available for other organizations nationally. Law students in the localities chosen will perform the actions suggested.
- Creation of an **alert and action** system. The community social organizations of the Judicial Departments indicated will react by making initiatives to demands transparency and influence on the regional or local level. This platform implies:
  - ❖ Individualization of ngo networks that are willing to follow up the implementation of carrier laws within the justice sector and to promote transparency.
  - ❖ Design and implementation of the objectives and standardized tools for observation and monitoring of the application of the set of standards for the Career, which constitute the alert and action system to be used by the institutions.
  - ❖ Workshops and training to the members of the network to present the cases where irregularities are alleged.
  - ❖ Implementation of the strategies selected in each case or locality.
  - ❖ Reception of the reporting and whistle blowing from citizens against judges, prosecutes, and public defense lawyers.
  - ❖ Processing the reports and whistle blowing.
  - ❖ Workshops with the organizations participating in the project to discuss the results of the actions performed.
- Systematization and socialization at a broader level of the results obtained in the localities chosen.
- Organization of a database on the career systems which includes information appearing in the national press and direct reports of events that occur in the localities chosen, collected and transmitted to FINJUS by social organizations.

- Preparation of Annual Balances in 2006 and 2007 on the Status of Implementation of the career for the institutions of the justice system, based on the monitoring of organizations of the Civil Society. The date for disseminating these reports will be January 7 of every year, so that this Annual Balance may serve as a counter report of the official view of the institutions of the system, especially the Judicial Power.
- Preparation of a civic report about the follow-up process and evaluation of the Public Ministry and the processes and for selecting the new inspectors, in its initial version of 2005 and in the subsequent processes to be performed in 2006 and 2007. For this purpose, regional reports will be made by the participating organizations, grouped in the Justice Table of Foro Ciudadano.
- Creation of the "Justice Round Table" in Foro Ciudadano as a platform for articulation and projection of the demand for judicial reform. Drafting an action plan and work timetable. This implies a monthly activity on a specific topic, in the framework of the Justice Table.
- Design of a training program that will include the following:
  - Line of popular-type publications for training the citizenry about judicial reform, often-functional themes related to the programmatic axes of the project.
  - Editing of audio material for training support
- Designing and implementing a Pilot Project of articulation of spaces of analysis and action, regarding justice subjects, for the integration of the different participants in the educational sector (teachers, parents, guardians, students, and community groups) of Educational District 15-02 of the Ministry of State of Education. This project will increase the participation of this sector in action on demand for a better access to justice and greater equity in its application.

This project implies the following:

- Coordination with the education authorities and key participants from District 15-02
- Formation of a motivational team and training of its members
- Training of 300 to 400 Multiplier Teachers
- Definition of Strategies and links with the Education Community and to its sustainability
- Synthesis, Publication, and Socialization of the experience

## **R2: Relaunching of the movement for justice reform headed by an effective Coalition of the civil society.**

FINJUS proposes to draft, reach a consensus, reveal, and pressure public authorities for the approval of a series of reforms on the constitutional, legal, regulatory and level, and of the level of institutional practices destined to encourage and promote a democratic, participative, efficient, transparent, and guarantor judicial government.

A selected group of lawyers, academicians and leaders of civil society organizations will participate in the technical definition of the proposals. In order to generate social and political consensus among the different sectors, FINJUS will promote strategic alliances with the judicial authorities and politicians, and will celebrate several activities to promote the proposal within civil society organizations.

### **INDICATORS:**

Proposals for a “new generation of judicial reform” are generated from a coalition of the civil society and are submitted to the corresponding institutions.

#### **PROPOSED ACTIONS:**

**Forum for a Democratic Judicial Government.** It implies the creation of a National Forum (with meetings in Santo Domingo, Barahona, San Pedro, and Santiago) which will act as a kind of assembly to discuss and legitimize the project proposals. This forum will have meetings every two months in Santo Domingo, and three meetings in each one of the rest of the regions, for a total of nine meetings.

**Regional Workshops of Consciousness Raising.** Consciousness raising work will be performed on subjects identified, with well-known personages and leaders on the regional level, who will motivate and energize the work of the corresponding discussion forums.

**“Democratic Judicial Government” Seminar:** In this seminar and national and international experts will address the following topics:

- 1) The problem of Judicial Training: Dominican and comparative experience
- 2) The role of judicial inspection
- 3) The role of the Magistrates Council and the models of Judicial Government in Comparative Law
- 4) The role of judges’ associations and the democratization of justice
- 5) The establishing of the dissident and agreeing vote as a mechanism of civic control over jurisdictional activity;
- 6) Justice and the civil society, in the prospective of the construction of a democratic Judicial Power
- 7) Evaluation of the responsibility of judges in the framework of Rule of Law
- 8) The judicial career in the Latin American experience and lessons for the Dominican Republic
- 9) The *amicus curiae* (*friend of the court*) and collective actions as a mechanism of civic participation in justice.

The participants for the seminar will be: judges, prosecutors, lawyers, academicians and media journalist and selected members of civil society organizations. Technical assistance to generate, from FINJUS, proposals or validation of mechanisms for selection, training, vigilance, promotion, and removal of the members of the Judicial Power, which will be identified in the **Study “For a Democratic Justice”**.

**Workshops for discussion of the Study:** the results of this Study must be discussed in 4 Forum workshops (Santo Domingo, Barahona, San Pedro, and Santiago) in order to draft of the definitive proposal of changes in rules and standards, taking into consideration the proposals received. The inputs of the Study will serve for the Statement of Motives of the proposed rules and standards.

**Public Act of Submission of the Proposals to the competent authorities and Communicational Actions.** The drafting and delivering of the proposals will be accompanied by communications actions such as: drafting and distribution of a bulletin, strategy of alliances with interested sectors and personages, press releases, communications media plan, etc. (continuous)

**Written information will be produced about the central axes of the project (CARDS).** These cards will be prepared on some of the subjects selected all the agenda and based on the inputs generated in the discussions of the **Forum for a Democratic Judicial Government**. The technical cards will be distributed as a bimonthly bulletin.

**R3: Expansion of awareness of the need for and an articulated demand for functional independence of the justice organizations of the executive power (Public Ministry, National Police, and an independent and strong Judiciary.**

## **FRAMEWORK OF WORK:**

The demand for an independent, efficient, and transparent justice system is a fundamental tool of the civil society for achieving the strengthening of the Rule of Law , and juridical security.

In order to achieve this high objective, it is required that the civil society have in-depth knowledge of the laws that support this independence, and can create the proper structures and mechanisms for close monitoring and the preparation of proposals for overcoming the problems detected. It also implies the creation of spaces for the articulation of alliances among sectors with conflicting interests in specific areas, but who agree on the establishing of a legal, social, and political framework, which is adequate for peaceful coexistence and economic development in freedom.

It also implies the performing of in-depth studies on the perception and behavior of the participants in the system and the social sectors identified, and based on this to make proposals for social programs and policies, which are appropriate for our development.

## **INDICATORS:**

The perception of the citizenry has changed regarding the concepts concerning independence of the key participants in the justice system.

New sectors have been linked around the subject of judicial independence, and there is at least evidence that groups of merchants demand greater independence from the actors in the judicial system.

## **PROPOSED ACTIONS:**

Implementation of the strategy formulated in the Study of perception of civil society organizations about independence and the judicial reform in the following axes:

1. Development of processes of Information and Orientation in the provinces where the study was performed
  - Workshops with civil society organizations
  - Preparation of educational materials with a methodology of popular education
  - Creation of spaces of public opinion in local and national programs
  - Creating spaces for street theater dramatization -- in coordination with theater groups from the localities
2. Implementation of a system of follow-up and monitoring of the topics included in the process of information of the provinces, which will measure variations in perception
  - Contrasting the perceptions of the sectors of the civil society of balance Justice Reform and independence, with perceptions from other participants such as: judges, prosecutors, National Police, Legislators, Mayors, and Governors.
  - Performing qualitative and quantitative processes of monitoring in the cities studied in order to identify the possible changes given the intervention.
3. Development of strategies of linkage and relationship with the sectors of greatest influence
  - Strategies of relationship with the business community that are concerned with the topics of juridical security and its relationship with Independence and Justice Reform, supported by CONEP and other business organizations (according to what was presented in the business agenda)

- Strategies of relationship with the social pastoral and human rights agency of the Catholic and evangelical churches concerning the topics of juridical security and its relationship with Independence and Justice Reform, supported by CONEP and other business organizations (according to what was presented in the business agenda).

## **IR 9.2. INCREASE IN TRANSPARENCY IN THE PUBLIC SECTOR**

### **9.2.1 Strengthening of the demand for anti-corruption reform**

#### **Results**

#### **R1: Civil Society Advocates in favor of a Reform of Key Anti-Corruption Policies.**

#### **FRAMEWORK OF WORK:**

The demand in favor of a Reform in public policies and legal frameworks that will favor the fight against corruption continues to grow in the civil society organizations. Based on the fact that the creation of a sustained demand for anticorruption reform supposes a broad knowledge by social and community organizations of the factors that influence corruption, the work of FINJUS will focus on contributing to developing the capacities and tools necessary for the leaders of social organizations in preselected areas to become familiar with and apply the laws and instruments that will seek to make public managements more participative and transparent, emphasizing the Judicial Power (of their communities).

#### **INDICATORS:**

Number of civil society organizations demand and influence the approval of the Law on Public Contracting and Concessions.

Number of anticorruption initiatives promoted and pushed by civil society organizations.

#### **PROPOSED ACTIONS:**

- Technical assistance by FINJUS for the discussion and drafting of the bills of Law on the Anticorruption Legal Platform, made up principally by:
  - Public Contracting Law
  - Declaration of Assets Law.
  - Budget and Public Credit Laws
  - Controller General Law reform
  - Chamber of Accounts Law
  - Implementation of Civil Service Law
  - Implementation of FOIA
- Six dissemination workshops on the thematic axes of the Anticorruption Platform
- Multisectorial meetings for the establishing of strategies to promote the approval of anticorruption laws

#### **R2. Consciousness-raising about Corruption**

#### **FRAMEWORK OF WORK:**

The actions proposed for the obtaining of these results have as their principal axis dissemination and consciousness raising about the topics and initiatives of anticorruption, in order to promote a sustained increase in the demand for a transparent public administration. This process implies

knowledge of the legal and institutional tools and instruments to influence decision-making of a public nature, whether on the institutional, local, or national level.

It also implies the preparation of popular materials for dissemination for the work of consciousness-raising in the communities about the perception of the citizenry concerning corruption, and the cost and damages it causes.

**PROPOSED ACTIONS:**

- Discussion about the causes, consequences, and effects of corruption through the monthly holding of the Around Table on Civic Culture of Transparency
- Implementation of the strategy formulated by the Study of the perception of civil society, organizations and inhabitants about Corruption in the following axes.
  1. Development of processes of Information and Orientation in the provinces where the study was performed
    - Workshops with the civil society organizations
    - Preparation of educational materials with methodology of popular education
  2. Implementation of a follow-up and monitoring system of the subject included and the process of information of the provinces, which will measure variations in perception
    - Performing qualitative and quantitative processes and monitoring in the cities studied in order to identify possible changes given the intervention

**R3. The Civil Society Monitors Effectively the Government's Compliance and the Efforts of Reform of Anticorruption Policies**

**PROPOSED ACTIONS:**

- Creation of a system for follow-up of corruption in the justice system through the holding of Forums in the localities selected for the identification and monitoring of specific cases of corruption, their limitations, and suggestions to overcome the problems detected.
  - Among others, one of the methodological instruments to be used in the "Follow up system" will be a Juridical analysis and monitoring of three emblematic cases of corruption in the justice sector and publication of their causes and implications within the Coalición por la transparencia y la Institucionalidad and Foro Ciudadano. These case studies provide relevant information on how the procedures and legal mechanisms can help on the prevention and sanction of corruption. This activity implies: Identification of cases to be studied, analysis on the information released on the press, elaboration of position papers about the different steps on the procedures, analysis on the legal, institutional and administrative implications in the justice system.
- Monitoring the progress in coordination and internal cooperation of the participants in the justice system for follow-up, investigation, and some of the cases of corruption that enter the system.

